

COMMISSION MEETING MINUTES

Indiana Fire Prevention and Building Safety Commission

Government Center South
402 West Washington Street
Indianapolis, Indiana 46204
Conference Room B

October 3, 2006

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman David Hannum at 9:02 a.m. October 3, 2006.

- (a) Commissioners were present at the Commission meeting:

Diana M. H. Brenner
Michael Christoffersen
Michael Corey
Howard W. Cundiff, Vice-Chairman, representing the Commissioner, Department of Health
David Hannum, Chairman
John Hawkins
M. Burke Jones
Ted Ogle
James Ridley

Commissioners not present at the Commission meeting:

Jay Gore
Kevin Goeden, representing the Commissioner, Department of Labor

- (b) The following departmental and support staff were present during the meeting:

- (1) Agency Support Services, Legal and Code Services
Mara Snyder, Director, Legal and Code Services
William Teeguarden, Executive Administrative Law Judge
John Haines, Code Specialist
John Hibner, Code Specialist
Raleigh Kouns, Code Specialist
Bob Robinson, Code Specialist
Beth Sutor, Secretary

- (2) James Schmidt, Counsel for the Commission, Deputy Attorney General

2. **Old Business.**

Chairman David Hannum called for any corrections or a motion to approve the minutes of the September 6, 2006

meeting as distributed. An error was noted on page eight, item 45. The maker of the second was incorrect, and Commissioner Brenner's name had been misspelled. A motion to approve the corrected minutes was made by Commissioner Cundiff and seconded by Commissioner Jones. It was voted upon and carried.

3. **Discussion and Action on LSA Document #06-124**

Dan Willis, Director of Boiler and Pressure Vessel Division, presented LSA Document #06-48 to the Commission. This document was previously passed by the Boiler and Pressure Vessel Rules Board to amend their code, and was being presented to the Commission for their approval. Commissioner Jones moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

4. **Variances.**

Tabled Variances.

Variance 06-08-18(a)(b) Frank E. Irish, Indianapolis, had been tabled until November at the request of the proponent. Variance 06-09-2 Temporary Structure, Indianapolis, was requested by the proponent to be tabled. Commissioner Ridley moved to table with the second by Commissioner Christoffersen. It was voted upon and carried. Variance 06-09-3 Pine Hills Kiddie Garden-23, Ft. Wayne, was represented by Angie Caruso, owner. As per the Commission's request at the September meeting, Ms. Caruso contacted local builders to get an estimate of what would need to be done and the possible cost. The corridor is one-hour but has non-rated windows and doors. Each room on the corridor has a solid core door and window to the outside. Commissioner Cundiff moved to approve with the second by Commissioner Ridley. It was voted upon and carried with Commissioner Christoffersen abstaining. Variance 06-09-4 Sagamore Club Awning, Noblesville, was represented by Zach Miller. A permanent awning had been installed at the club and had been cited by the local inspector for combustibles under it. It had been treated with a flame retardant and the certificate had been presented to the Commission. Furniture under the awning is now of metal with minimal fabric, etc. They would like to use it year-round in the future by installing fabric side walls. Commissioner Ogle moved to approve with the second by Commissioner Jones. It was voted upon and carried with one nay vote. Variance #06-09-14(a)(b)(c) Boone County 4-H Fairgrounds Arena, Lebanon, was tabled at the request of the proponent. Commissioner Ogle made the motion to table with the second by Commissioner Hawkins. It was voted upon and carried. Variance #06-09-48 Greenbrooke Medical Office Building, Greenwood, was represented by Melissa Tucker, RTM Consultants. The variance had been incomplete at the September meeting and is now complete. Commissioner Cundiff moved to approve with the second by Commissioner Hawkins. It was voted upon and carried.

Regular Variances.

No variances were called out for individual consideration. Commissioner Ridley made the motion to approve the following variances with an "A" or "B" review rating by staff, with the second being made by Commissioner Jones. It was voted upon and carried.

The following variances were approved as submitted:

- (1) 06-10-1 Wal-Mart Supercenter #1162, Washington
- (2) 06-10-2 Wal-Mart Supercenter 1728, Anderson
- (3) 06-10-7 Elkhart Brass Manufacturing, Elkhart
- (4) 06-10-8(a)(b) St. Paul's Lutheran Church Heritage Hall Renovation, Ft. Wayne
- (5) 06-10-14 Franklin Township Freshman Academy, Indianapolis
- (6) 06-10-15 University High School Academic Building, Carmel
- (7) 06-10-16 Indy South MOB, Indianapolis
- (8) 06-10-18 Fayette County Courthouse Addition and Renovation, Connersville
- (9) 06-10-19 Clarian Arnett Hospital, Lafayette
- (10) 06-10-21 Plumb Creek II, Schererville
- (11) 06-10-29 Girl Scouts Leadership and Learning Center, Ft. Wayne
- (12) 06-10-32 Middlebury Community Schools Northridge Pool Addition, Middlebury
- (13) 06-10-35(b) Glendale Mall Target Addition, Indianapolis
- (14) 06-10-37(b)(c)(d)(e) 707 North St. Condominiums, Indianapolis

- (15) 06-10-38(a)(b) Abe Martin Lodge Aquatic Center Addition, Nashville
- (16) 06-10-39 Indianapolis Airport Fire Station, Indianapolis
- (17) 06-10-41(a)(b) Jefferson County Jail Addition, Madison
- (18) 06-10-42(a)(b) College Park Church Sanctuary Addition, Indianapolis
- (19) 06-10-43(b) Indiana Design Center, Carmel
- (20) 06-10-44 City Center Building Number Six, Crown Point
- (21) 06-10-45 City Center Building Number Two, Crown Point
- (22) 06-10-46 City Center Building Number Three, Crown Point
- (23) 06-10-47 City Center Building Number Five, Crown Point
- (24) 06-10-48 City Center Building Number Four, Crown Point
- (25) 06-10-50 Shipsewana Focus Hotel, Shipsewana

The following variances were heard separately:

- (26) 06-10-5 St. Margaret Mercy Expansion, Dyer

Tracy Stinson, Otis Elevator Company, spoke as proponent. A Gen Two system elevator will be installed with a new machine room to allow a heliport and elevator access for patient intake at the hospital. Training for inspectors and information about the elevator will be provided to the Division of Elevator Safety. Commissioner Corey moved to approve with Commissioner Cundiff making the second. It was voted upon and carried.

- (27) 06-10-4 Community Hospital Utility Buildings, Munster

Phil Bachman, architect, and David Mellins of Community Hospital spoke as proponents. The request was to be allowed to delete the seismic restraint on piping of the existing building during the remodeling. The building is almost out of the seismic zone and soil tests have been run. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Hawkins. It was voted upon and carried.

- (28) 06-10-6 Rink-Savoy Apartments, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The building is required to have a 2-hour rated exhaust air shaft. The request is to allow the floor assemblies to be 1-hour equivalency with shelf angles to support the shafts at each floor. The building is fully sprinklered with an NFPA 13 system. Commissioner Christoffersen moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

- (29) 06-10-8(c) St. Paul's Lutheran Church Heritage Hall Renovation, Ft. Wayne

Melissa Tupper, RTM Consultants, spoke as proponent. The request was to allow an elevator equipment room to open into a stair enclosure. All openings will be 1-hour rated doors. After discussion, Commissioner Ogle moved to approve. Commissioner Jones made the second. It was voted upon and carried.

- (30) 06-10-9 Alterations and Additions to Northeastern Jr/Sr High School, Fountain City

Sam Butterbaugh, architect with Lorenz Williams Clinton, spoke as proponent. After a discussion of the plans and type of temporary exiting for the students, Commissioner Cundiff moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

- (31) 06-10-10 Martinsville Fire Headquarters, Martinsville

Eric Ratts, DLZ Architects, spoke as proponent. The request was to eliminate the required elevator to the second floor and all accessibility requirements for the second floor including

shower and toilet facilities. The second floor of the building is used by the firemen for a dorm and dining / day room, and is not open to the public. All facilities on the first floor would meet the accessibility requirements. After discussion, Commissioner Jones moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried.

(32) 06-10-11 Greene County Courthouse, Bloomfield

John Knorr, Strand Associates, Inc., spoke as proponent. Due to settling of the stair tower, the treads are not level and therefore do not meet code. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Hawkins. It was voted upon and carried.

(33) 06-10-12 Sarn II, LLC, Munster

Timothy Callas, J & T Consulting, spoke as proponent. The common path of travel for the tenants of the building required a second exit, but the building has only one. It is, however, an exit which is quite evident to and easily recognizable by the public as the exit. After discussion, Commissioner Hawkins moved to approve with the second by Commissioner Brenner. It was voted upon and carried.

(34) 06-10-13 Silver Oaks South Exit Doors, Columbus

David Davidson, Trilogy Health Services, spoke as proponent. The request is to allow the exit from the 14- bed Memory Care Unit to be disguised by painting it to look like a bookcase while leaving the panic hardware unpainted. Exit signs are also still in position. After discussion, Commissioner Hawkins moved to approve with the condition the unit be staffed twenty-four hours a day. The second was made by Commissioner Cundiff. It was voted upon and carried.

5. **Breaking and reconvening.** Chairman Hannum recessed the Commission at 10:05 a.m. Chairman Hannum reconvened the meeting, calling it to order at 10:17 a.m.

(35) 06-10-17 Saxony Buildings 100 and 200, Noblesville

The application had been incomplete at the beginning of the meeting and the missing information had since been submitted. Commissioner Cundiff moved to approve with the second by Commissioner Ridley. It was voted upon and carried.

(36) 06-10-20(a)(b) Holiday Inn North, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. The request was to allow a part of the egress corridor to be arranged in such a way as to allow staging for the banquet area as if it were a service corridor. The local fire official, Teresa Harris, Pike Twp. Fire Department, spoke to the commission about the plan they had developed with RTM which required a clear 36" path. They also requested the fire doors to be repaired and maintained to protect the corridor. Commissioner Christoffersen moved to approve with the conditions requested. The second was made by Commissioner Jones. It was voted upon and carried. Variance (b) was withdrawn and not heard.

(37) 06-10-22 Avon Chrysler Dodge Jeep, Avon

Timothy Callas, J & T Consulting, spoke as proponent. He explained that the correct name for this facility is Danville Chrysler Dodge Jeep. The request was omit a fire barrier to separate the garage area from the rest of the sprinklered building. After discussion, Commissioner Cundiff moved to approve and Commissioner Ridley made the second. It was voted upon and carried.

- (38) 06-10-23 MSC-Industrial Direct, Elkhart

Tim Callas, J&T Consulting, spoke as proponent. The request was to allow the building to omit smoke vents and a mechanical exhaust system in the new warehouse addition. There will be an ESFR sprinkler system. After brief discussion, Commissioner Cundiff moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried.

- (39) 06-10-24 Addition to NGInstruments, Inc. Warsaw

Tim Callas, J&T Consulting, spoke as proponent. The company makes specialized orthopedic tools in machinery which have self-contained fire-suppression systems in each machine. The total amount of oils used in cooling during the process exceed that allowed by code. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Ogle. It was voted upon and carried.

- (40) 06-10-25 Troyer Foods Addition, Goshen

Tim Callas, J&T Consulting, spoke as proponent. The company is unable to get enough water supply to support a sprinkler system. There is a 3-hour door at each end of the concrete connector between the buildings involved. After discussion, Commissioner Cundiff moved to approve with the second by Commissioner Hawkins. It was voted upon and carried.

- (41) 06-10-26(a)(b) Sommer Barnard

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. Variance (b) dealt with an open circulation stair for a law firm. The request was to match the rise and run of the existing stair for the third level addition. Commissioner Cundiff moved to approve with the second by Commissioner Ogle. It was voted upon and carried. Variance (a) was a request to match the stair width (36") of the existing stair. Commissioner Cundiff moved to approve with the second by Commissioner Ogle. It was voted upon and carried with one nay vote.

- (42) 06-10-27 Intech Three, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to allow the supporting structure for stairwell and elevator shafts to not rest on compliant two-hour structure. After discussion, Commissioner Hawkins moved to approve with the second by Commissioner Cundiff. It was voted upon and carried.

- (43) 06-10-28(a)(b)(c) Additions and Renovations to DeKalb High School, Waterloo

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request in (a) was to allow the sprinklered locker area/entry to be over-area by 2%. In (b), the request was to allow the storage room and corridor extension to be over-area by 3% with a fire separation wall and 1-hour rated construction. Variance (c) was to remodel the office without the 1-hour corridor. Commissioner Cundiff moved to approve all three variances. Commissioner Christoffersen made the second. It was voted upon and carried.

- (44) 06-10-30 Barnes & Thornburg, Indianapolis

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. The request was to allow access to a fire escape from the 80 year old building through an office. The building has been sprinkled as it has been remodeled and has one enclosed stairway. After discussion, Commissioner Christoffersen moved to approve with the condition the office is never locked. The second was made by Commissioner Ogle. It was voted upon and carried.

- (45) 06-10-31(a)(b)(c) Carmel City Center Phase 1, Carmel

Ralph Gerdes, Ralph Gerdes Consultants, spoke as proponent. A Swedish central trash collecting system is being installed in this complex. In variance (a), the request was to allow pipes to have a diameter of 19½" which is smaller than allowed by code. After a brief discussion, Commissioner Ridley moved to approve with the second by Commissioner Cundiff. It was voted upon and carried. Variance (b) was to allow the vertical chute to have a total of 45 degree offset which is not allowed by code. Commissioner Christoffersen moved to approve with the second by Commissioner Brenner. It was voted upon and carried. Variance (c) dealt with door ratings and chute access openings which have been rated to Swedish code and not our code. With assurances that specification information about the Swedish system would be provided to staff, Commissioner Ogle moved to approve with the second by Commissioner Hawkins. It was voted upon and carried.

- (46) 06-10-33 Circle Center Mall, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. The request was to allow the use of concourse space from Nordstrom's to be used as a second exit during construction of a restaurant. After discussion, Commissioner Christoffersen moved to approve with the condition that the variance be valid for a period of one year. The second was made by Commissioner Ridley. It was voted upon and carried.

- (47) 06-10-34 ISP / ISDH Toxicology laboratory Building, Indianapolis

Christina Collester, RTM Consultants, spoke as proponent. Electrical panels had been installed before the installation of metal doorframes. When installed, the door frames created a non-compliant situation by encroaching upon the space required around the panels. The proponent offered to wrap the doorframes to insulate the workers, install rubber door mats, and to have no more than a 3" obstruction on any given panel. After discussion, Commissioner Brenner moved to approve with the conditions described. The second was made by Commissioner Christoffersen. It was voted upon and carried.

- (48) 06-10-35(a) Glendale Mall Target Addition, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The building is grandfathered as an unlimited building, but will revert to a Chapter 5 when the covered mall area is demolished in the renovation and will be over-area for the construction type. The building is sprinklered throughout and stair width is compliant. Commissioner Brenner moved to approve with the second by Commissioner Christoffersen. It was voted upon and carried.

- (49) 06-10-36 Fairbanks Community Center Renovation, Fairbanks

Ed Craigs, Burgess Engineering, and Shawna Porter, resident, spoke as proponents. The Community Center had begun accessibility upgrading on their own volition, and had discovered the building had not had a change of use filed when it went from a schoolhouse to a community center. The request was to allow them to change use without sprinklering. While they are of a non-compliant construction type and have no stair enclosures, they will have smoke detectors and a fire alarm system. New exit signs and emergency lighting are also present. Commissioner Christoffersen moved to approve with the condition smoke detectors are to be installed on the stair landings. The second was made by Commissioner Ridley. It was voted upon and carried.

- (50) 06-10-37(a) 707 North Street Condominiums, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to omit elevator lobby vestibules on floors two through seven. These will have smoke management systems which will

close smoke dampers at activation and shut down the HVAC supply on that floor. Both stairs have pressure activation systems. There is a 125' travel distance. Commissioner Brenner moved to approve with Commissioner Hawkins making the second. It was voted upon and carried.

(51) 06-10-40(a)(b) Newburgh Elementary School Additions, Newburgh

Ed Rensink, RTM Consultants, spoke as proponent. The addition to the library will put the building into further non-compliance as will the request to omit a fire separation wall. After discussion, Commissioner Cundiff moved to approve with Commissioner Jones making the second. It was voted upon and carried.

(52) 06-10-42(c) College Park Church Sanctuary Addition, Indianapolis

Ed Rensink, RTM Consultants, spoke as proponent. The request was to correct a discrepancy found in an old variance granted in 2000. They were actually 12.3% over-area as they discovered during new construction. The condition covered by the variance is not being changed. After discussion, Commissioner Ogle moved to approve, and Commissioner Cundiff made the second. It was voted upon and carried.

(53) 06-10-43(a) Indiana Design Center, Carmel

Ed Rensink, RTM Consultants, spoke as proponent. The request was to allow more than the permitted 25% of the fire wall to have rated openings. There will be water curtain protection installed. After discussion, Commissioner Cundiff moved to approve. Commissioner Ridley made the second. It was voted upon and carried.

(54) 06-10-49 Rockville Jr/Sr High School, Rockville

Ed Rensink, RTM Consultants, spoke as proponent. An addition is creating an obstruction of one exit, increasing travel distance and creating a 47' dead-end. They are providing a partition across the corridor and will not use it throughout the construction period. A partition will also be constructed just beyond the classroom to decrease the length of the dead-end. After discussion, Commissioner Christoffersen moved to approve with the condition that the variance be valid until March 1, 2007. Commissioner Jones made the second. It was voted upon and carried.

6. **New Business – General.**

Discussion and Possible Action

Scribner Place YMCA
Condition of CDR
Administrative Cause No. 06-23
Nonfinal Order of Dismissal

Georgetown Police Department
Order – Fire and Building Code Enforcement
Administrative Cause No. 06-12
Nonfinal Order of Dismissal

Pilgrim Baptist Church
Order – City of Indianapolis
Administrative Cause No. 04-31
Nonfinal Order of Dismissal

Super 8 Motel Marion
Order – Fire and Building Code Enforcement
Administrative Cause No. 05-56
Nonfinal Order of Dismissal

Commissioner Ridley moved to approve the Nonfinal Orders of Dismissal. Commissioner Jones made the second. It was voted upon and carried.

Discussion and Commission Action On Petitions For Review (All are timely field unless otherwise noted.)

Collins Building
Order – Fire and Building Code Enforcement

Commissioner Ogle moved to approve the petition for review. Commissioner Hawkins made the second. It was voted upon and carried.

7. **Comments.**

Mara Snyder, Director, Code and Legal Services, brought the new web page to the attention of the Commissioners. She noted it was now easier to find information related to the Commission and suggested they take a moment to inspect it. She also noted that some of the proposed amendments brought back by the staff of Code and Legal Services from the recent ICC hearings in Florida would be looked at for inclusion in the proposed new Indiana codes. Mike Christoffersen reported that the IRC committee met September 14, 2006 and established who would be eligible to vote. He also noted that the October 12th meeting would be at Stock Building products in Franklin, Indiana and invited all interested parties to attend.

10. **Adjournment.**

Chairman Hannum called for further business. There being none, he adjourned the meeting at 12:05 p.m.

APPROVED

David Hannum, Chairman